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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA :

Hon. Douglas E. Arpert

v. :

Mag. No. 19-1582-2 (DEA)

JOHANNA R. HERRERA :

**ORDER FOR A CONTINUANCE**

This matter having come before the Court on the joint application of Craig Carpenito, United States Attorney for the District of New Jersey (by Elisa T. Wiygul, Assistant United States Attorney), and defendant Johanna R. Herrera (by Clifford E. Lazzaro, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through December 31, 2020 to allow the defendant to enter a plea of guilty; and the Court having entered Standing Orders 20-02, 20-03, 20-09, 20-12, an Extension of Standing Order 20-12, and a Second Extension of Standing Order 20-12 continuing this and all other criminal matters in this district until January 4, 2021, in response to the national emergency created by COVID-19; and the defendant being aware that she has the right to have the matter submitted to a grand jury within 30 days of the date of her arrest pursuant to Title 18, United States Code, Section 3161(b); and five prior continuances having been entered; and the defendant, through her attorney, having consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- (1) The defendant has signed a plea agreement, and both the United States and the defendant seek additional time to allow the defendant to enter her plea of guilty before a U.S. District Judge, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary;
- (2) The defendant recently retained new counsel, who entered his appearance in this matter on or about October 21, 2020, and the failure to grant such a continuance would deny counsel for the defendant or the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;
- (3) In response to the national emergency created by COVID-19, the Chief Judge of this Court has entered Standing Orders 20-02, 20-03, 20-09, 20-12, an Extension of Standing Order 20-12, and a Second Extension of Standing Order 20-12, which are incorporated herein by reference;
- (4) The defendant has consented to the aforementioned continuance;
- (5) The grant of a continuance will likely conserve judicial resources; and
- (6) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 2nd day of <sup>November</sup> ~~October~~, 2020;

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through December 31, 2020; and it is further

ORDERED that the period from the date this Order is signed through December 31, 2020 shall be excludable in computing time under the Speedy Trial Act of 1974.



HON. DOUGLAS E. ARPERT  
United States Magistrate Judge

Form and entry consented to:

/s/ Elisa T. Wiygul

Elisa T. Wiygul

Assistant United States Attorney

APPROVED BY:

/s/ J. Brendan Day

J. Brendan Day

Attorney-in-Charge, Trenton Office



Clifford E. Lazzaro, Esq.

Counsel for Defendant Johanna R. Herrera

/s/ Matthew J. Skahill

Matthew J. Skahill

Deputy United States Attorney